

FORM B1		United States Bankruptcy Court Northern District of Illinois		Voluntary Petition																	
Name of Debtor (if individual, enter Last, First, Middle): Benecke, James S.			Name of Joint Debtor (Spouse) (Last, First, Middle): Benecke, Rachel Marie																		
All Other Names used by the Debtor in the last 6 years (include married, maiden, and trade names):			All Other Names used by the Joint Debtor in the last 6 years (include married, maiden, and trade names):																		
Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all): xxx-xx-1218			Last four digits of Soc. Sec. No. / Complete EIN or other Tax I.D. No. (if more than one, state all): xxx-xx-6692																		
Street Address of Debtor (No. & Street, City, State & Zip Code): 3550 Gatewood Lane Aurora, IL 60504			Street Address of Joint Debtor (No. & Street, City, State & Zip Code): 3550 Gatewood Lane Aurora, IL 60504																		
County of Residence or of the Principal Place of Business: Du Page			County of Residence or of the Principal Place of Business: Du Page																		
Mailing Address of Debtor (if different from street address):			Mailing Address of Joint Debtor (if different from street address):																		
Location of Principal Assets of Business Debtor (if different from street address above):																					
Information Regarding the Debtor (Check the Applicable Boxes)																					
Venue (Check any applicable box) <input checked="" type="checkbox"/> Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other District. <input type="checkbox"/> There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.																					
Type of Debtor (Check all boxes that apply) <input checked="" type="checkbox"/> Individual(s) <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Other _____ <input type="checkbox"/> Railroad <input type="checkbox"/> Stockbroker <input type="checkbox"/> Commodity Broker <input type="checkbox"/> Clearing Bank			Chapter or Section of Bankruptcy Code Under Which the Petition is Filed (Check one box) <input checked="" type="checkbox"/> Chapter 7 <input type="checkbox"/> Chapter 9 <input type="checkbox"/> Sec. 304 - Case ancillary to foreign proceeding <input type="checkbox"/> Chapter 11 <input type="checkbox"/> Chapter 12 <input type="checkbox"/> Chapter 13																		
Nature of Debts (Check one box) <input checked="" type="checkbox"/> Consumer/Non-Business <input type="checkbox"/> Business			Filing Fee (Check one box) <input checked="" type="checkbox"/> Full Filing Fee attached <input type="checkbox"/> Filing Fee to be paid in installments (Applicable to individuals only.) Must attach signed application for the court's consideration certifying that the debtor is unable to pay fee except in installments. Rule 1006(b). See Official Form No. 3.																		
Chapter 11 Small Business (Check all boxes that apply) <input type="checkbox"/> Debtor is a small business as defined in 11 U.S.C. § 101 <input type="checkbox"/> Debtor is and elects to be considered a small business under 11 U.S.C. § 1121(e) (Optional)																					
Statistical/Administrative Information (Estimates only) <input type="checkbox"/> Debtor estimates that funds will be available for distribution to unsecured creditors. <input checked="" type="checkbox"/> Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors.					THIS SPACE IS FOR COURT USE ONLY																
Estimated Number of Creditors																					
Estimated Assets																					
Estimated Debts																					
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 12.5%;">\$0 to \$50,000</td> <td style="width: 12.5%;">\$50,001 to \$100,000</td> <td style="width: 12.5%;">\$100,001 to \$500,000</td> <td style="width: 12.5%;">\$500,001 to \$1 million</td> <td style="width: 12.5%;">\$1,000,001 to \$10 million</td> <td style="width: 12.5%;">\$10,000,001 to \$50 million</td> <td style="width: 12.5%;">\$50,000,001 to \$100 million</td> <td style="width: 12.5%;">More than \$100 million</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> <td style="text-align: center;"><input type="checkbox"/></td> </tr> </table>					\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million														
<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>														
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\$0 to \$50,000	\$50,001 to \$100,000	\$100,001 to \$500,000	\$500,001 to \$1 million	\$1,000,001 to \$10 million	\$10,000,001 to \$50 million	\$50,000,001 to \$100 million	More than \$100 million														
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>														

Voluntary Petition (This page must be completed and filed in every case)		Document Page 2 of 42 Benecke, James S. Benecke, Rachel Marie		FORM B1, Page 2	
Prior Bankruptcy Case Filed Within Last 6 Years (If more than one, attach additional sheet)					
Location Where Filed: - None -		Case Number:		Date Filed:	
Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet)					
Name of Debtor: - None -		Case Number:		Date Filed:	
District:		Relationship:		Judge:	
Signatures					
Signature(s) of Debtor(s) (Individual/Joint) I declare under penalty of perjury that the information provided in this petition is true and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I am aware that I may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, understand the relief available under each such chapter, and choose to proceed under chapter 7. I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.			Exhibit A (To be completed if debtor is required to file periodic reports (e.g., forms 10K and 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11) <input type="checkbox"/> Exhibit A is attached and made a part of this petition.		
X <u>/s/ James S. Benecke</u> Signature of Debtor James S. Benecke			Exhibit B (To be completed if debtor is an individual whose debts are primarily consumer debts) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter.		
X <u>/s/ Rachel Marie Benecke</u> Signature of Joint Debtor Rachel Marie Benecke			X <u>/s/ Kent A. Gaertner</u> October 7, 2005 Signature of Attorney for Debtor(s) Date Kent A. Gaertner 3121489		
Telephone Number (If not represented by attorney) October 7, 2005 Date			Exhibit C Does the debtor own or have possession of any property that poses a threat of imminent and identifiable harm to public health or safety? <input type="checkbox"/> Yes, and Exhibit C is attached and made a part of this petition. <input checked="" type="checkbox"/> No		
Signature of Attorney X <u>/s/ Kent A. Gaertner</u> Signature of Attorney for Debtor(s) Kent A. Gaertner 3121489 Printed Name of Attorney for Debtor(s) Springer, Brown, Covey, Gaertner & Davis, L.L.C. Firm Name 400 S. County Farm Road Suite 330 Wheaton, IL 60187 Address 630-510-0000 Fax: 630-510-0004 Telephone Number October 7, 2005 Date			Signature of Non-Attorney Petition Preparer I certify that I am a bankruptcy petition preparer as defined in 11 U.S.C. § 110, that I prepared this document for compensation, and that I have provided the debtor with a copy of this document. Printed Name of Bankruptcy Petition Preparer Social Security Number (Required by 11 U.S.C. § 110(c).) Address Names and Social Security numbers of all other individuals who prepared or assisted in preparing this document: If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.		
Signature of Debtor (Corporation/Partnership) I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor. The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.			X _____ Signature of Bankruptcy Petition Preparer Date A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or both. 11 U.S.C. § 110; 18 U.S.C. § 156.		
X _____ Signature of Authorized Individual Printed Name of Authorized Individual Title of Authorized Individual Date					

United States Bankruptcy Court
Northern District of Illinois

In re **James S. Benecke,**
Rachel Marie Benecke

Debtors

Case No. _____

Chapter 7

SUMMARY OF SCHEDULES

Indicate as to each schedule whether that schedule is attached and state the number of pages in each. Report the totals from Schedules A, B, D, E, F, I, and J in the boxes provided. Add the amounts from Schedules A and B to determine the total amount of the debtor's assets. Add the amounts from Schedules D, E, and F to determine the total amount of the debtor's liabilities.

			AMOUNTS SCHEDULED		
NAME OF SCHEDULE	ATTACHED (YES/NO)	NO. OF SHEETS	ASSETS	LIABILITIES	OTHER
A - Real Property	Yes	1	267,000.00		
B - Personal Property	Yes	4	153,637.63		
C - Property Claimed as Exempt	Yes	2			
D - Creditors Holding Secured Claims	Yes	2		299,852.78	
E - Creditors Holding Unsecured Priority Claims	Yes	2		23,715.52	
F - Creditors Holding Unsecured Nonpriority Claims	Yes	7		181,869.72	
G - Executory Contracts and Unexpired Leases	Yes	1			
H - Codebtors	Yes	2			
I - Current Income of Individual Debtor(s)	Yes	1			5,353.00
J - Current Expenditures of Individual Debtor(s)	Yes	1			5,080.00
Total Number of Sheets of ALL Schedules		23			
Total Assets			420,637.63		
Total Liabilities				505,438.02	

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE A. REAL PROPERTY

Except as directed below, list all real property in which the debtor has any legal, equitable, or future interest, including all property owned as a cotenant, community property, or in which the debtor has a life estate. Include any property in which the debtor holds rights and powers exercisable for the debtor's own benefit. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor holds no interest in real property, write "None" under "Description and Location of Property."

Do not include interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If an entity claims to have a lien or hold a secured interest in any property, state the amount of the secured claim. (See Schedule D.) If no entity claims to hold a secured interest in the property, write "None" in the column labeled "Amount of Secured Claim."

If the debtor is an individual or if a joint petition is filed, state the amount of any exemption claimed in the property only in Schedule C - Property Claimed as Exempt.

Description and Location of Property	Nature of Debtor's Interest in Property	Husband, Wife, Joint, or Community	Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption	Amount of Secured Claim
Single Family Residence - 3550 Gatewood Lane, Aurora, IL 60504	fee simple	J	267,000.00	221,126.00

Sub-Total > **267,000.00** (Total of this page)

Total > **267,000.00**

(Report also on Summary of Schedules)

0 continuation sheets attached to the Schedule of Real Property

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE B. PERSONAL PROPERTY

Except as directed below, list all personal property of the debtor of whatever kind. If the debtor has no property in one or more of the categories, place an "x" in the appropriate position in the column labeled "None." If additional space is needed in any category, attach a separate sheet properly identified with the case name, case number, and the number of the category. If the debtor is married, state whether husband, wife, or both own the property by placing an "H," "W," "J," or "C" in the column labeled "Husband, Wife, Joint, or Community." If the debtor is an individual or a joint petition is filed, state the amount of any exemptions claimed only in Schedule C - Property Claimed as Exempt.

Do not list interests in executory contracts and unexpired leases on this schedule. List them in Schedule G - Executory Contracts and Unexpired Leases.

If the property is being held for the debtor by someone else, state that person's name and address under "Description and Location of Property."

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
1. Cash on hand		Cash on hand.	J	25.00
2. Checking, savings or other financial accounts, certificates of deposit, or shares in banks, savings and loan, thrift, building and loan, and homestead associations, or credit unions, brokerage houses, or cooperatives.		Checking account Old Second National Bank, Aurora	J	1,000.00
		Savings Account - Old Second National Bank	J	233.00
3. Security deposits with public utilities, telephone companies, landlords, and others.	X			
4. Household goods and furnishings, including audio, video, and computer equipment.		Normal household goods and furnishings including but not limited to t.v., bedroom set, computer, sofa, table & chairs, etc.	J	1,500.00
5. Books, pictures and other art objects, antiques, stamp, coin, record, tape, compact disc, and other collections or collectibles.	X			
6. Wearing apparel.		Wearing apparel for 2 adults.	J	750.00
7. Furs and jewelry.	X			
8. Firearms and sports, photographic, and other hobby equipment.	X			
9. Interests in insurance policies. Name insurance company of each policy and itemize surrender or refund value of each.		Metropolitan Life Universal (beneficiary - husband)	W	3,513.41
		Metropolitan Life Universal (beneficiary - wife)	H	6,071.84

Sub-Total > **13,093.25**
(Total of this page)

3 continuation sheets attached to the Schedule of Personal Property

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE B. PERSONAL PROPERTY
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
10. Annuities. Itemize and name each issuer.	X			
11. Interests in IRA, ERISA, Keogh, or other pension or profit sharing plans. Itemize.	IRA		H	5,000.00
	401K with employer		W	65,000.00
12. Stock and interests in incorporated and unincorporated businesses. Itemize.		100% stock of Pro's Landscape Maintenance Ltd.(wife 51% - Husband 49%) See balance sheet attached as Exhibit.	J	0.00
13. Interests in partnerships or joint ventures. Itemize.	X			
14. Government and corporate bonds and other negotiable and nonnegotiable instruments.	X			
15. Accounts receivable.	X			
16. Alimony, maintenance, support, and property settlements to which the debtor is or may be entitled. Give particulars.	X			
17. Other liquidated debts owing debtor including tax refunds. Give particulars.	X			
18. Equitable or future interests, life estates, and rights or powers exercisable for the benefit of the debtor other than those listed in Schedule of Real Property.	X			
19. Contingent and noncontingent interests in estate of a decedent, death benefit plan, life insurance policy, or trust.	X			

Sub-Total > **70,000.00**
(Total of this page)

Sheet 1 of 3 continuation sheets attached
to the Schedule of Personal Property

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE B. PERSONAL PROPERTY
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
20. Other contingent and unliquidated claims of every nature, including tax refunds, counterclaims of the debtor, and rights to setoff claims. Give estimated value of each.	X			
21. Patents, copyrights, and other intellectual property. Give particulars.	X			
22. Licenses, franchises, and other general intangibles. Give particulars.	X			
23. Automobiles, trucks, trailers, and other vehicles and accessories.		2002 Chevy Tahoe LS	J	19,500.00
		2000 Pontiac Grand Prix GTP	J	7,500.00
		Vehicles of Pro's Landscape Maintenance are shown on attached List. They were paid for by Corporation but debtor (James) is also on title. See attached list Exhibit.	J	31,644.38
		Secured by Old Second National Bank: 1999 Chevy Dump TC31403 53,500 miles (acct #00003621042) Balance owed: \$842.41 2000 INTL 4700 Dump 117,000 miles (acct #00209000063) Balance owed: \$30,801.97		
		20001 Chevy C2500 (vehicle of Pro's Landscape maintenance - are shown on attached list. They were paid for by Corproation but Debtor (James) is also on Title. (See attached list Exhibit)	J	11,900.00
24. Boats, motors, and accessories.	X			
25. Aircraft and accessories.	X			
26. Office equipment, furnishings, and supplies.	X			
27. Machinery, fixtures, equipment, and supplies used in business.	X			
28. Inventory.	X			

Sub-Total > **70,544.38**
(Total of this page)

Sheet 2 of 3 continuation sheets attached to the Schedule of Personal Property

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE B. PERSONAL PROPERTY
(Continuation Sheet)

Type of Property	N O N E	Description and Location of Property	Husband, Wife, Joint, or Community	Current Market Value of Debtor's Interest in Property, without Deducting any Secured Claim or Exemption
29. Animals.		Household pets - 2 German Shepards	J	0.00
30. Crops - growing or harvested. Give particulars.	X			
31. Farming equipment and implements.	X			
32. Farm supplies, chemicals, and feed.	X			
33. Other personal property of any kind not already listed.	X			

Sub-Total > **0.00**
(Total of this page)
Total > **153,637.63**

Sheet **3** of **3** continuation sheets attached
to the Schedule of Personal Property

(Report also on Summary of Schedules)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE C. PROPERTY CLAIMED AS EXEMPT

Debtor elects the exemptions to which debtor is entitled under:

[Check one box]

- ☐ 11 U.S.C. §522(b)(1): Exemptions provided in 11 U.S.C. §522(d). Note: These exemptions are available only in certain states.
- ☒ 11 U.S.C. §522(b)(2): Exemptions available under applicable nonbankruptcy federal laws, state or local law where the debtor's domicile has been located for the 180 days immediately preceding the filing of the petition, or for a longer portion of the 180-day period than in any other place, and the debtor's interest as a tenant by the entirety or joint tenant to the extent the interest is exempt from process under applicable nonbankruptcy law.

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Market Value of Property Without Deducting Exemption
Real Property			
Single Family Residence - 3550 Gatewood Lane, Aurora, IL 60504	735 ILCS 5/12-901	15,000.00	267,000.00
Cash on Hand			
Cash on hand.	735 ILCS 5/12-1001(b)	25.00	25.00
Checking, Savings, or Other Financial Accounts, Certificates of Deposit			
Checking account Old Second National Bank, Aurora	735 ILCS 5/12-1001(b)	1,000.00	1,000.00
Savings Account - Old Second National Bank	735 ILCS 5/12-1001(b)	233.00	233.00
Household Goods and Furnishings			
Normal household goods and furnishings including but not limited to t.v., bedroom set, computer, sofa, table & chairs, etc.	735 ILCS 5/12-1001(b)	1,500.00	1,500.00
Wearing Apparel			
Wearing apparel for 2 adults.	735 ILCS 5/12-1001(a)	750.00	750.00
Interests in Insurance Policies			
Metropolitan Life Universal (beneficiary - husband)	215 ILCS 5/238	3,513.41	3,513.41
Metropolitan Life Universal (beneficiary - wife)	215 ILCS 5/238	6,071.84	6,071.84
Interests in IRA, ERISA, Keogh, or Other Pension or Profit Sharing Plans			
IRA	735 ILCS 5/12-704	5,000.00	5,000.00
401K with employer	735 ILCS 5/12-704	65,000.00	65,000.00
Stock and Interests in Businesses			
100% stock of Pro's Landscape Maintenance Ltd.(wife 51% - Husband 49%) See balance sheet attached as Exhibit.	735 ILCS 5/12-1001(b)	0.00	0.00
Automobiles, Trucks, Trailers, and Other Vehicles			
2002 Chevy Tahoe LS	735 ILCS 5/12-1001(b)	2,400.00	19,500.00
2000 Pontiac Grand Prix GTP	735 ILCS 5/12-1001(b)	0.00	7,500.00

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE C. PROPERTY CLAIMED AS EXEMPT
(Continuation Sheet)

Description of Property	Specify Law Providing Each Exemption	Value of Claimed Exemption	Current Market Value of Property Without Deducting Exemption
Vehicles of Pro's Landscape Maintenance are shown on attached List. They were paid for by Corporation but debtor (James) is also on title. See attached list Exhibit.	735 ILCS 5/12-1001(b)	0.00	31,644.38
Secured by Old Second National Bank: 1999 Chevy Dump TC31403 53,500 miles (acct #00003621042) Balance owed: \$842.41 2000 INTL 4700 Dump 117,000 miles (acct #00209000063) Balance owed: \$30,801.97			
20001 Chevy C2500 (vehicle of Pro's Landscape maintenance - are shown on attached list. They were paid for by Corproation but Debtor (James) is also on Title. (See attached list Exhibit)	735 ILCS 5/12-1001(b)	0.00	11,900.00
<u>Animals</u> Household pets - 2 German Shepards	735 ILCS 5/12-1001(b)	0.00	0.00

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS

State the name, mailing address, including zip code and last four digits of any account number of all entities holding claims secured by property of the debtor as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. List creditors holding all types of secured interests such as judgment liens, garnishments, statutory liens, mortgages, deeds of trust, and other security interests. List creditors in alphabetical order to the extent practicable. If all secured creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community."

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding secured claims to report on this Schedule D.

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	H U S B A N D W I F E J O I N T C O M M U N I T Y	DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION IF ANY
Account No. 3300639406802			Opened 10/20/03 Last Active 9/15/05					
ABN AMRO Mtg Group 2600 W Big Beaver Rd Troy, MI 48084		J	Mortgage Single Family Residence - 3550 Gatewood Lane, Aurora, IL 60504					
			Value \$ 267,000.00				138,191.00	0.00
Account No. 1036302200001			Opened 7/15/03 Last Active 8/14/05					
Banco Popular 120 Broadway Fl 16 New York, NY 10271		J	auto loan 2000 Pontiac Grand Prix GTP					
			Value \$ 7,500.00				10,972.36	3,472.36
Account No. 847872843			Opened 6/25/02 Last Active 8/25/05					
Fifth Third Bank Fifth Third Center 38 Fountain Sq. Cincinnati, OH 45263		J	Auto loan 2002 Chevy Tahoe LS					
			Value \$ 19,500.00				15,377.00	0.00
Account No. 154122260617			Opened 11/17/01 Last Active 8/18/05					
G M A C 15303 S 94th Ave Orland Park, IL 60462		X H	20001 Chevy C2500 (vehicle of Pro's Landscape maintenance - are shown on attached list. They were paid for by Corproation but Debtor (James) is also on Title. (See attached list Exhibit)					
			Value \$ 11,900.00				9,673.00	0.00
Subtotal							174,213.36	
(Total of this page)								

1 continuation sheets attached

Form B6D - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE D. CREDITORS HOLDING SECURED CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E D E B T O R	H W J C	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM WITHOUT DEDUCTING VALUE OF COLLATERAL	UNSECURED PORTION IF ANY
			DATE CLAIM WAS INCURRED, NATURE OF LIEN, AND DESCRIPTION AND MARKET VALUE OF PROPERTY SUBJECT TO LIEN					
Account No. 120507301314766			Opened 2/15/05 Last Active 8/22/05					
Lasalle National N A 3985 N Milwaukee Ave Chicago, IL 60641		J	Second Mortgage Single Family Residence - 3550 Gatewood Lane, Aurora, IL 60504					
			Value \$ 267,000.00				82,935.00	0.00
Account No. 209000063			Opened 4/29/05 Last Active 8/16/05					
Old Second National Ba 37 S River St Aurora, IL 60506		H	security Veh. of Pro's Landscape Maintenance shown on attached List. They were paid for by Corporation but debtor (Mr.) is also on title. See Exhibit. Secured by Old Second National Bnk: 1999 Chevy Dump TC31403 (Bal \$842.41) & 2000 INTL 4700					
			Value \$ 31,644.38				31,644.38	0.00
Account No. 03000169174			security lien					
Sheffield Financial Corp. PO Box 890012 Charlotte, NC 28289		J	4 mowers - business equipment					
			Value \$ Unknown				9,836.39	Unknown
Account No. 03000138370			security lien					
Sheffield Financial Corp. PO Box 890012 Charlotte, NC 28289		J	Spray tank - business equipment					
			Value \$ Unknown				1,223.65	Unknown
Account No.								
			Value \$					

Sheet **1** of **1** continuation sheets attached to
Schedule of Creditors Holding Secured Claims

Subtotal
(Total of this page)

125,639.42

Total
(Report on Summary of Schedules)

299,852.78

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS

A complete list of claims entitled to priority, listed separately by type of priority, is to be set forth on the sheets provided. Only holders of unsecured claims entitled to priority should be listed in this schedule. In the boxes provided on the attached sheets, state the name, mailing address, including zip code, and last four digits of the account number, if any, of all entities holding priority claims against the debtor or the property of the debtor, as of the date of the filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H-Codebtors. If a joint petition is filed, state whether husband, wife, both of them or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of claims listed on each sheet in the box labeled "Subtotal" on each sheet. Report the total of all claims listed on this Schedule E in the box labeled "Total" on the last sheet of the completed schedule. Repeat this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured priority claims to report on this Schedule E.

TYPES OF PRIORITY CLAIMS (Check the appropriate box(es) below if claims in that category are listed on the attached sheets.)

☐ **Extensions of credit in an involuntary case**

Claims arising in the ordinary course of the debtor's business or financial affairs after the commencement of the case but before the earlier of the appointment of a trustee or the order for relief. 11 U.S.C. § 507(a)(2).

☐ **Wages, salaries, and commissions**

Wages, salaries, and commissions, including vacation, severance, and sick leave pay owing to employees and commissions owing to qualifying independent sales representatives up to \$10,000* per person earned within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507 (a)(3), as amended by § 1401 of Pub L. 109-8.

☐ **Contributions to employee benefit plans**

Money owed to employee benefit plans for services rendered within 180 days immediately preceding the filing of the original petition, or the cessation of business, whichever occurred first, to the extent provided in 11 U.S.C. § 507(a)(4).

☐ **Certain farmers and fishermen**

Claims of certain farmers and fishermen, up to \$4,925* per farmer or fisherman, against the debtor, as provided in 11 U.S.C. § 507(a)(5).

☐ **Deposits by individuals**

Claims of individuals up to \$2,225* for deposits for the purchase, lease, or rental of property or services for personal, family, or household use, that were not delivered or provided. 11 U.S.C. § 507(a)(6).

☐ **Alimony, Maintenance, or Support**

Claims of a spouse, former spouse, or child of the debtor for alimony, maintenance, or support, to the extent provided in 11 U.S.C. § 507(a)(7).

☒ **Taxes and Certain Other Debts Owed to Governmental Units**

Taxes, customs duties, and penalties owing to federal, state, and local governmental units as set forth in 11 U.S.C § 507(a)(8).

☐ **Commitments to Maintain the Capital of an Insured Depository Institution**

Claims based on commitments to the FDIC, RTC, Director of the Office of Thrift Supervision, Comptroller of the Currency, or Board of Governors of the Federal Reserve System, or their predecessors or successors, to maintain the capital of an insured depository institution. 11 U.S.C. § 507(a)(9).

*Amounts are subject to adjustment on April 1, 2007, and every three years thereafter with respect to cases commenced on or after the date of adjustment.

1 continuation sheets attached

Form B6E - Cont.
(04/05)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE E. CREDITORS HOLDING UNSECURED PRIORITY CLAIMS
(Continuation Sheet)

**Taxes and Certain Other Debts
Owed to Governmental Units**

TYPE OF PRIORITY

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Husband, Wife, Joint, or Community		C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	TOTAL AMOUNT OF CLAIM	AMOUNT ENTITLED TO PRIORITY
		H W J C	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM					
Account No.			IL 941					
Illinois Department of Revenue Bankruptcy Section 100 W. Randolph Street Chicago, IL 60602	X	J					1,030.19	1,030.19
Account No.			2005					
Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114	X	J	941's (FICA and Medical)				3,308.00	3,308.00
Account No.			2005					
Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114	X	J	941's				3,880.51	3,880.51
Account No.			2005					
Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114	X	J	FUTA				215.99	215.99
Account No.			2005					
Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114	X	J	SUTA				15,280.83	15,280.83

Sheet **1** of **1** continuation sheets attached to
Schedule of Creditors Holding Unsecured Priority Claims

Subtotal
(Total of this page)

23,715.52

Total
(Report on Summary of Schedules)

23,715.52

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

State the name, mailing address, including zip code, and last four digits of any account number, of all entities holding unsecured claims without priority against the debtor or the property of the debtor, as of the date of filing of the petition. The complete account number of any account the debtor has with the creditor is useful to the trustee and the creditor and may be provided if the debtor chooses to do so. Do not include claims listed in Schedules D and E. If all creditors will not fit on this page, use the continuation sheet provided.

If any entity other than a spouse in a joint case may be jointly liable on a claim, place an "X" in the column labeled "Codebtor", include the entity on the appropriate schedule of creditors, and complete Schedule H - Codebtors. If a joint petition is filed, state whether husband, wife, both of them, or the marital community may be liable on each claim by placing an "H", "W", "J", or "C" in the column labeled "Husband, Wife, Joint, or Community".

If the claim is contingent, place an "X" in the column labeled "Contingent". If the claim is unliquidated, place an "X" in the column labeled "Unliquidated". If the claim is disputed, place an "X" in the column labeled "Disputed". (You may need to place an "X" in more than one of these three columns.)

Report the total of all claims listed on this schedule in the box labeled "Total" on the last sheet of the completed schedule. Report this total also on the Summary of Schedules.

☐ Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. AMEX PO Box 297871 Fort Lauderdale, FL 33329	J	Credit Card Purchases				5.00
Account No. Anderson Landscape Supply 31W504 Diehl Road Naperville, IL 60563	X J	Business materials				7,573.83
Account No. Arthur Cleason, Inc. 543 Diens Dr. Wheeling, IL 60090	X J	Business debt.				3,000.00
Account No. 5547031541 Bp Oil/Citibank Po Box 6003 Hagerstown, MD 21747	J	Opened 3/26/00 Last Active 8/04/05 CreditCard				2,026.00
Subtotal (Total of this page)						12,604.83

6 continuation sheets attached

Form B6F - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. 5121070163764935 Cbusasears Po Box 6189 Sioux Falls, SD 57117	J	Opened 11/01/92 Last Active 6/30/05 CreditCard				1,924.00
Account No. 4305870619034085 Chase 800 Brooksedge Blvd Westerville, OH 43081	J	Opened 5/17/98 Last Active 9/06/05 CreditCard				18,130.00
Account No. 4366163045484900 Chase 800 Brooksedge Blvd Westerville, OH 43081	J	Opened 10/01/91 Last Active 9/11/05 CreditCard				14,541.00
Account No. 663429264 Citgo Oil/Citibank Po Box 6003 Hagerstown, MD 21747	H	Opened 1/27/99 Last Active 8/31/05 CreditCard				880.00
Account No. 541065449473 Citibank Pob 6241 Sioux Falls, SD 57117	J	Opened 3/01/97 Last Active 9/01/05 CreditCard				22,892.00
Sheet no. <u>1</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 58,367.00

Form B6F - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. 601100778952 Discover Fin Pob 15316 Wilmington, DE 19850	J	Opened 11/09/94 Last Active 4/03/05 CreditCard				0.00
Account No. EC Rizzi & Assoc. 31W310 Schoger Dr. Naperville, IL 60564	X J	Business materials				2,584.50
Account No. E030711329 1 Edward Hospital PO Box 4207 Carol Stream, IL 60197	X J	Injury to employee of Pro's Landscape				363.00
Account No. 5437-0002-1007-2676 GM Card PO Box 37281 Baltimore, MD 21297	J	Credit Card Purchases				12,382.85
Account No. 6035322005307230 Home Depot PO Box 6029 The Lakes, NV 88901	J	Credit Card Purchases				8,378.16
Sheet no. <u>2</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page) 23,708.51

Form B6F - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No. 543700021007 Hsbc Nv Pob 98706 Las Vegas, NV 89193	J	Opened 3/19/93 Last Active 8/01/05 CreditCard				10,992.00
Account No. 248618 Jc Penney P.O. Box 981400 El Paso, TX 79998	H	Opened 12/10/04 Last Active 7/14/05 ChargeAccount				104.00
Account No. Kaknes Landscape Supply 31W545 Diehl Rd. Naperville, IL 60563	X J	Business materials				1,246.14
Account No. 028794999452 Kohls N56 W 17000 Ridgewood Dr Menomonee Falls, WI 53051	W	Opened 5/27/99 Last Active 9/05/05 CreditCard				0.00
Account No. 3026N Lenz Disposal PO Box 5188 Naperville, IL 60567	X J	Business disposal				1,440.00
Sheet no. <u>3</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						13,782.14
Subtotal (Total of this page)						13,782.14

Form B6F - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.				
Account No.		Business materials				
Lesco Inc. PO box 931341 Cleveland, OH 44193	J					3,684.32
Account No. R0334804		Opened 12/01/02 Last Active 5/04/05 ChargeAccount				
Marshall Fields 111 Boulder Industrial D Bridgeton, MO 63044	W					0.00
Account No. R0334817		Opened 12/01/02 Last Active 6/29/05 ChargeAccount				
Marshall Fields 111 Boulder Industrial D Bridgeton, MO 63044	H					0.00
Account No. 74923015231222		Credit Card Purchases				
MBNA PO Box 15289 Wilmington, DE 19886	J					49,719.03
Account No. 18502		Business - fuel				
Midway Truck Parts Inc. 7400 W. 8th St. Bridgeview, IL 60455	J					2,096.59
Sheet no. <u>4</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						
Subtotal (Total of this page)						55,499.94

Form B6F - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM	
		DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE.					
Account No. 3750743	J	Tires				410.90	
Pomps Tire Service Inc. PO Bxo 1630 Green Bay, WI 54305							
Account No. 500212711	X J	Advertising				776.42	
RH Donnelley PO Box 807008 Kansas City, MO 64180							
Account No. 5121-0701-6376-4935	J	Credit Card Purchases				1,925.00	
Sears PO Box 182156 Columbus, OH 43218							
Account No. 4032297	X J	Business Materials				10,632.14	
Sherwin Nurseries, Inc. PO Box 857 Addison, IL 60101							
Account No.	X J	Business materials/disposal				577.50	
Steve Piper & Sons Inc. 31 W 330 Ramm Dr. Naperville, IL 60564							
Sheet no. 5 of 6 sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)	14,321.96

Form B6F - Cont.
(12/03)

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE F. CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS
(Continuation Sheet)

CREDITOR'S NAME, AND MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions.)	C O D E B T O R	Husband, Wife, Joint, or Community	C O N T I N G E N T	U N L I Q U I D A T E D	D I S P U T E D	AMOUNT OF CLAIM
		H W J C				
Account No.						
Wagner Farms Nursery 9937 S. Rt. 59 Naperville, IL 60564	X	J				3,585.34
Account No.						
Account No.						
Account No.						
Account No.						
Sheet no. <u>6</u> of <u>6</u> sheets attached to Schedule of Creditors Holding Unsecured Nonpriority Claims						Subtotal (Total of this page)
						3,585.34
						Total (Report on Summary of Schedules)
						181,869.72

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE G. EXECUTORY CONTRACTS AND UNEXPIRED LEASES

Describe all executory contracts of any nature and all unexpired leases of real or personal property. Include any timeshare interests. State nature of debtor's interest in contract, i.e., "Purchaser," "Agent," etc. State whether debtor is the lessor or lessee of a lease. Provide the names and complete mailing addresses of all other parties to each lease or contract described.

NOTE: A party listed on this schedule will not receive notice of the filing of this case unless the party is also scheduled in the appropriate schedule of creditors.

☐ Check this box if debtor has no executory contracts or unexpired leases.

Name and Mailing Address, Including Zip Code,
of Other Parties to Lease or Contract

Description of Contract or Lease and Nature of Debtor's Interest.
State whether lease is for nonresidential real property.
State contract number of any government contract.

**Craig Chidester
9017 S. Normantown Rd.
Naperville, IL 60565**

**Business lease for maintenance shop - Pro's
Landscape Maintenance**

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE H. CODEBTORS

Provide the information requested concerning any person or entity, other than a spouse in a joint case, that is also liable on any debts listed by debtor in the schedules of creditors. Include all guarantors and co-signers. In community property states, a married debtor not filing a joint case should report the name and address of the nondebtor spouse on this schedule. Include all names used by the nondebtor spouse during the six years immediately preceding the commencement of this case.

☐ Check this box if debtor has no codebtors.

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
James Benecke	G M A C 15303 S 94th Ave Orland Park, IL 60462
Pro's Landscape Maintenance 9017 S. Normantown Rd. Naperville, IL	Illinois Department of Revenue Bankruptcy Section 100 W. Randolph Street Chicago, IL 60602
Pro's Landscape Maintenance	Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114
Pro's Landscape Maintenance	Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114
Pro's Landscape Maintenance	Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114
Pro's Landscape Maintenance	Internal Revenue Service ATTN: Centralized Insolvency PO Box 21126 Philadelphia, PA 19114
Pro's Landscape Maintenance	Anderson Landscape Supply 31W504 Diehl Road Naperville, IL 60563
Pro's Landscape Maintenance	Arthur Cleason, Inc. 543 Diens Dr. Wheeling, IL 60090
Pro's Landscape Maintenance	Edward Hospital PO Box 4207 Carol Stream, IL 60197
Pro's Landscape Maintenance	Kaknes Landscape Supply 31W545 Diehl Rd. Naperville, IL 60563
Pro's Landscape Maintenance	Lenz Disposal PO Box 5188 Naperville, IL 60567

In re **James S. Benecke,
Rachel Marie Benecke**

Case No. _____

Debtors

SCHEDULE H. CODEBTORS
(Continuation Sheet)

NAME AND ADDRESS OF CODEBTOR	NAME AND ADDRESS OF CREDITOR
Pro's Landscape Maintenance	RH Donnelley PO Box 807008 Kansas City, MO 64180
Pro's Landscape Maintenance	EC Rizzi & Assoc. 31W310 Schoger Dr. Naperville, IL 60564
Pro's Landscape Maintenance	Steve Piper & Sons Inc. 31 W 330 Ramm Dr. Naperville, IL 60564
Pro's Landscape Maintenance	Sherwin Nurseries, Inc. PO Box 857 Addison, IL 60101
Pro's Landscape Maintenance	Wagner Farms Nursery 9937 S. Rt. 59 Naperville, IL 60564

Form B61
(12/03)

In re **James S. Benecke**
Rachel Marie Benecke Debtor(s) Case No. _____

SCHEDULE I. CURRENT INCOME OF INDIVIDUAL DEBTOR(S)

The column labeled "Spouse" must be completed in all cases filed by joint debtors and by a married debtor in a chapter 12 or 13 case whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.

Debtor's Marital Status:	DEPENDENTS OF DEBTOR AND SPOUSE	
Married	RELATIONSHIP None.	AGE
EMPLOYMENT		
DEBTOR		SPOUSE
Occupation		
Name of Employer Pro's Landscape Maintenance		
How long employed		
Address of Employer		

	DEBTOR	SPOUSE
INCOME: (Estimate of average monthly income)		
Current monthly gross wages, salary, and commissions (pro rate if not paid monthly)	\$ 2,816.00	\$ 4,502.00
Estimated monthly overtime	\$ 0.00	\$ 0.00
SUBTOTAL	\$ 2,816.00	\$ 4,502.00

LESS PAYROLL DEDUCTIONS

a. Payroll taxes and social security	\$ 563.00	\$ 875.00
b. Insurance	\$ 0.00	\$ 256.00
c. Union dues	\$ 0.00	\$ 0.00
d. Other (Specify) 401K loan repayment	\$ 0.00	\$ 271.00
	\$ 0.00	\$ 0.00

SUBTOTAL OF PAYROLL DEDUCTIONS

TOTAL NET MONTHLY TAKE HOME PAY

Regular income from operation of business or profession or farm (attach detailed statement)	\$ 0.00	\$ 0.00
Income from real property	\$ 0.00	\$ 0.00
Interest and dividends	\$ 0.00	\$ 0.00
Alimony, maintenance or support payments payable to the debtor for the debtor's use or that of dependents listed above	\$ 0.00	\$ 0.00
Social security or other government assistance (Specify)	\$ 0.00	\$ 0.00
	\$ 0.00	\$ 0.00
Pension or retirement income	\$ 0.00	\$ 0.00
Other monthly income (Specify)	\$ 0.00	\$ 0.00
	\$ 0.00	\$ 0.00

TOTAL MONTHLY INCOME

TOTAL COMBINED MONTHLY INCOME \$ **5,353.00** (Report also on Summary of Schedules)

Describe any increase or decrease of more than 10% in any of the above categories anticipated to occur within the year following the filing of this document:

Debtor's corporation Pro's Landscape Maintenance Inc will be ceasing operations in next 30 days and James Benecke will become unemployed until he can locate a new position. Debtor's will also be paying second mortgage payment of \$450/mo that is now paid by Pro's Landscape Maintenance.

In re James S. Benecke
Rachel Marie Benecke Debtor(s) Case No. _____

SCHEDULE J. CURRENT EXPENDITURES OF INDIVIDUAL DEBTOR(S)

Complete this schedule by estimating the average monthly expenses of the debtor and the debtor's family. Pro rate any payments made bi-weekly, quarterly, semi-annually, or annually to show monthly rate.

☐ Check this box if a joint petition is filed and debtor's spouse maintains a separate household. Complete a separate schedule of expenditures labeled "Spouse."

Rent or home mortgage payment (include lot rented for mobile home)		\$	<u>1,518.00</u>
Are real estate taxes included?	Yes <u>X</u> No <u> </u>		
Is property insurance included?	Yes <u>X</u> No <u> </u>		
Utilities:			
Electricity and heating fuel		\$	<u>200.00</u>
Water and sewer		\$	<u>50.00</u>
Telephone		\$	<u>100.00</u>
Other		\$	<u>0.00</u>
Home maintenance (repairs and upkeep)		\$	<u>100.00</u>
Food		\$	<u>600.00</u>
Clothing		\$	<u>200.00</u>
Laundry and dry cleaning		\$	<u>25.00</u>
Medical and dental expenses		\$	<u>175.00</u>
Transportation (not including car payments)		\$	<u>350.00</u>
Recreation, clubs and entertainment, newspapers, magazines, etc.		\$	<u>100.00</u>
Charitable contributions		\$	<u>50.00</u>
Insurance (not deducted from wages or included in home mortgage payments)			
Homeowner's or renter's		\$	<u>0.00</u>
Life		\$	<u>169.00</u>
Health		\$	<u>0.00</u>
Auto		\$	<u>100.00</u>
Other <u>Umprella</u>		\$	<u>17.00</u>
Taxes (not deducted from wages or included in home mortgage payments)			
(Specify)		\$	<u>0.00</u>
Installment payments: (In chapter 12 and 13 cases, do not list payments to be included in the plan.)			
Auto		\$	<u>0.00</u>
Other <u>Tahoe</u>		\$	<u>595.00</u>
Other <u>Grand Prix</u>		\$	<u>306.00</u>
Other <u>Tuition</u>		\$	<u>425.00</u>
Alimony, maintenance, and support paid to others		\$	<u>0.00</u>
Payments for support of additional dependents not living at your home		\$	<u>0.00</u>
Regular expenses from operation of business, profession, or farm (attach detailed statement)		\$	<u>0.00</u>
Other		\$	<u>0.00</u>
Other		\$	<u>0.00</u>
TOTAL MONTHLY EXPENSES (Report also on Summary of Schedules)		\$	<u>5,080.00</u>

[FOR CHAPTER 12 AND 13 DEBTORS ONLY]

Provide the information requested below, including whether plan payments are to be made bi-weekly, monthly, annually, or at some other regular interval.

A. Total projected monthly income		\$	<u>N/A</u>
B. Total projected monthly expenses		\$	<u>N/A</u>
C. Excess income (A minus B)		\$	<u>N/A</u>
D. Total amount to be paid into plan each	_____	\$	<u>N/A</u>
	(interval)		

**United States Bankruptcy Court
Northern District of Illinois**

In re **James S. Benecke
Rachel Marie Benecke**

Debtor(s)

Case No.
Chapter

7

DECLARATION CONCERNING DEBTOR'S SCHEDULES

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the foregoing summary and schedules, consisting of **24** sheets *[total shown on summary page plus 1]*, and that they are true and correct to the best of my knowledge, information, and belief.

Date **October 7, 2005**

Signature **/s/ James S. Benecke**
James S. Benecke
Debtor

Date **October 7, 2005**

Signature **/s/ Rachel Marie Benecke**
Rachel Marie Benecke
Joint Debtor

Penalty for making a false statement or concealing property: Fine of up to \$500,000 or imprisonment for up to 5 years or both.
18 U.S.C. §§ 152 and 3571.

Form 7
(12/03)

**United States Bankruptcy Court
Northern District of Illinois**

In re **James S. Benecke
Rachel Marie Benecke**

Debtor(s)

Case No.
Chapter

7

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs.

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within the six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any owner of 5 percent or more of the voting or equity securities of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; any managing agent of the debtor. 11 U.S.C. § 101.

1. Income from employment or operation of business

None

☐ State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of the debtor's business from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE (if more than one)
\$19,775.00	2005 - James
\$40,300.00	2005 - Rachel
\$31,200.00	2004 - James
\$47,950.00	2004 - Rachel
\$29,900.00	2003 - James
\$44,350.00	2003 - Rachel

2. Income other than from employment or operation of business

None ☐ State the amount of income received by the debtor other than from employment, trade, profession, or operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
--------	--------

3. Payments to creditors

None ☐ a. List all payments on loans, installment purchases of goods or services, and other debts, aggregating more than \$600 to any creditor, made within **90 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATES OF PAYMENTS	AMOUNT PAID	AMOUNT STILL OWING
---------------------------------	----------------------	-------------	-----------------------

None ☐ b. List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR AND RELATIONSHIP TO DEBTOR	DATE OF PAYMENT	AMOUNT PAID	AMOUNT STILL OWING
--	-----------------	-------------	-----------------------

4. Suits and administrative proceedings, executions, garnishments and attachments

None ☐ a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

CAPTION OF SUIT AND CASE NUMBER	NATURE OF PROCEEDING	COURT OR AGENCY AND LOCATION	STATUS OR DISPOSITION
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None ☐ b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON FOR WHOSE BENEFIT PROPERTY WAS SEIZED	DATE OF SEIZURE	DESCRIPTION AND VALUE OF PROPERTY
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5. Repossessions, foreclosures and returns

None ☐ List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR OR SELLER	DATE OF REPOSSESSION, FORECLOSURE SALE, TRANSFER OR RETURN	DESCRIPTION AND VALUE OF PROPERTY
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6. Assignments and receiverships

None ☐ a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF ASSIGNEE	DATE OF ASSIGNMENT	TERMS OF ASSIGNMENT OR SETTLEMENT
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None ☒ b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN	NAME AND LOCATION OF COURT CASE TITLE & NUMBER	DATE OF ORDER	DESCRIPTION AND VALUE OF PROPERTY
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7. Gifts

None ☒ List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF PERSON OR ORGANIZATION	RELATIONSHIP TO DEBTOR, IF ANY	DATE OF GIFT	DESCRIPTION AND VALUE OF GIFT
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8. Losses

None ☒ List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

DESCRIPTION AND VALUE OF PROPERTY	DESCRIPTION OF CIRCUMSTANCES AND, IF LOSS WAS COVERED IN WHOLE OR IN PART BY INSURANCE, GIVE PARTICULARS	DATE OF LOSS
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9. Payments related to debt counseling or bankruptcy

None ☐ List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of the petition in bankruptcy within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS OF PAYEE	DATE OF PAYMENT, NAME OF PAYOR IF OTHER THAN DEBTOR	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
Springer, Brown, Covey, Gaertner & Davis 400 S. County Farm Road Suite 330 Wheaton, IL 60187	9/23/05	\$1,500 \$209

10. Other transfers

None ☒ List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF TRANSFEREE, RELATIONSHIP TO DEBTOR	DATE	DESCRIBE PROPERTY TRANSFERRED AND VALUE RECEIVED
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11. Closed financial accounts

None ☐ List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF INSTITUTION	TYPE OF ACCOUNT, LAST FOUR DIGITS OF ACCOUNT NUMBER, AND AMOUNT OF FINAL BALANCE	AMOUNT AND DATE OF SALE OR CLOSING
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12. Safe deposit boxes

None ☐ List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF BANK OR OTHER DEPOSITORY	NAMES AND ADDRESSES OF THOSE WITH ACCESS TO BOX OR DEPOSITORY	DESCRIPTION OF CONTENTS	DATE OF TRANSFER OR SURRENDER, IF ANY
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13. Setoffs

None ☐ List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CREDITOR	DATE OF SETOFF	AMOUNT OF SETOFF
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14. Property held for another person

None ☐ List all property owned by another person that the debtor holds or controls.

NAME AND ADDRESS OF OWNER	DESCRIPTION AND VALUE OF PROPERTY	LOCATION OF PROPERTY
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15. Prior address of debtor

None ☐ If the debtor has moved within the **two years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

ADDRESS	NAME USED	DATES OF OCCUPANCY
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16. Spouses and Former Spouses

None ☐ If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within the **six-year period** immediately preceding the commencement of the case, identify the name of the debtor's spouse and of any former spouse who resides or resided with the debtor in the community property state.

NAME

17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law

- None ☒ a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☒ b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.

SITE NAME AND ADDRESS	NAME AND ADDRESS OF GOVERNMENTAL UNIT	DATE OF NOTICE	ENVIRONMENTAL LAW
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- None ☒ c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

NAME AND ADDRESS OF GOVERNMENTAL UNIT	DOCKET NUMBER	STATUS OR DISPOSITION
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18 . Nature, location and name of business

- None ☐ a. If the debtor is an individual, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partnership, sole proprietorship, or was a self-employed professional within the **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within the **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within the **six years** immediately preceding the commencement of this case.

NAME	TAXPAYER I.D. NO. (EIN)	ADDRESS	NATURE OF BUSINESS	BEGINNING AND ENDING DATES
Pro's Landscape Maintenance Ltd.	36-4077483	9017 S. Normantown Rd. Naperville, IL 60564	Landscaping	4/1996 to date

- None ☒ b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

NAME	ADDRESS
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The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within the **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or otherwise self-employed.

(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within the six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)

19. Books, records and financial statements

- None ☐ a. List all bookkeepers and accountants who within the **two years** immediately preceding the filing of this bankruptcy case kept or supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS

John Coffey
2111 Plum St.
Aurora, IL 60506

DATES SERVICES RENDERED

1996 - to date

- None ☒ b. List all firms or individuals who within the **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

NAME

ADDRESS

DATES SERVICES RENDERED

- None ☐ c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

NAME

ADDRESS

See above

- None ☒ d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued within the **two years** immediately preceding the commencement of this case by the debtor.

NAME AND ADDRESS

DATE ISSUED

20. Inventories

- None ☒ a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

DATE OF INVENTORY

INVENTORY SUPERVISOR

DOLLAR AMOUNT OF INVENTORY
(Specify cost, market or other basis)

- None ☒ b. List the name and address of the person having possession of the records of each of the two inventories reported in a., above.

DATE OF INVENTORY

NAME AND ADDRESSES OF CUSTODIAN OF INVENTORY
RECORDS

21 . Current Partners, Officers, Directors and Shareholders

- None ☒ a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

NAME AND ADDRESS

NATURE OF INTEREST

PERCENTAGE OF INTEREST

- None ☒ b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

NAME AND ADDRESS

TITLE

NATURE AND PERCENTAGE
OF STOCK OWNERSHIP

22 . Former partners, officers, directors and shareholders

None ☐ a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

NAME	ADDRESS	DATE OF WITHDRAWAL
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None ☐ b. If the debtor is a corporation, list all officers, or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

NAME AND ADDRESS	TITLE	DATE OF TERMINATION
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23 . Withdrawals from a partnership or distributions by a corporation

None ☐ If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

NAME & ADDRESS OF RECIPIENT, RELATIONSHIP TO DEBTOR	DATE AND PURPOSE OF WITHDRAWAL	AMOUNT OF MONEY OR DESCRIPTION AND VALUE OF PROPERTY
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24. Tax Consolidation Group.

None ☐ If the debtor is a corporation, list the name and federal taxpayer identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PARENT CORPORATION	TAXPAYER IDENTIFICATION NUMBER
----------------------------	--------------------------------

25. Pension Funds.

None ☐ If the debtor is not an individual, list the name and federal taxpayer identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within the **six-year period** immediately preceding the commencement of the case.

NAME OF PENSION FUND	TAXPAYER IDENTIFICATION NUMBER
----------------------	--------------------------------

DECLARATION UNDER PENALTY OF PERJURY BY INDIVIDUAL DEBTOR

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date <u>October 7, 2005</u>	Signature <u>/s/ James S. Benecke</u> James S. Benecke Debtor
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Date <u>October 7, 2005</u>	Signature <u>/s/ Rachel Marie Benecke</u> Rachel Marie Benecke Joint Debtor
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Penalty for making a false statement: Fine of up to \$500,000 or imprisonment for up to 5 years, or both. 18 U.S.C. §§ 152 and 3571

Official Form 8
(12/03)

**United States Bankruptcy Court
Northern District of Illinois**

In re **James S. Benecke
Rachel Marie Benecke**

Debtor(s)

Case No.
Chapter

7

CHAPTER 7 INDIVIDUAL DEBTOR'S STATEMENT OF INTENTION

1. I have filed a schedule of assets and liabilities which includes consumer debts secured by property of the estate.
2. I intend to do the following with respect to the property of the estate which secures those consumer debts:

a. Property to Be Surrendered.

Description of Property
-NONE-

Creditor's name

b. Property to Be Retained

[Check any applicable statement.]

	Description of Property	Creditor's Name	Property is claimed as exempt	Property will be redeemed pursuant to 11 U.S.C. § 722	Debt will be reaffirmed pursuant to 11 U.S.C. § 524(c)
1.	Single Family Residence - 3550 Gatewood Lane, Aurora, IL 60504	ABN AMRO Mtg Group			X
2.	2000 Pontiac Grand Prix GTP	Banco Popular			X
3.	2002 Chevy Tahoe LS	Fifth Third Bank			X
4.	Single Family Residence - 3550 Gatewood Lane, Aurora, IL 60504	Lasalle National N A			X

Date **October 7, 2005**

Signature **/s/ James S. Benecke**
James S. Benecke
Debtor

Date **October 7, 2005**

Signature **/s/ Rachel Marie Benecke**
Rachel Marie Benecke
Joint Debtor

United States Bankruptcy Court**Northern District of Illinois**In re **James S. Benecke**
Rachel Marie Benecke

Debtor(s)

Case No.

Chapter

7**DISCLOSURE OF COMPENSATION OF ATTORNEY FOR DEBTOR(S)**

1. Pursuant to 11 U.S.C. § 329(a) and Bankruptcy Rule 2016(b), I certify that I am the attorney for the above-named debtor and that compensation paid to me within one year before the filing of the petition in bankruptcy, or agreed to be paid to me, for services rendered or to be rendered on behalf of the debtor(s) in contemplation of or in connection with the bankruptcy case is as follows:

For legal services, I have agreed to accept.....	\$	<u>1,500.00</u>
Prior to the filing of this statement I have received.....	\$	<u>1,500.00</u>
Balance Due.....	\$	<u>0.00</u>

2. The source of the compensation paid to me was:

☒ Debtor ☐ Other (specify):

3. The source of compensation to be paid to me is:

☒ Debtor ☐ Other (specify):

4. ☒ I have not agreed to share the above-disclosed compensation with any other person unless they are members and associates of my law firm.

☐ I have agreed to share the above-disclosed compensation with a person or persons who are not members or associates of my law firm. A copy of the agreement, together with a list of the names of the people sharing in the compensation is attached.

5. In return for the above-disclosed fee, I have agreed to render legal service for all aspects of the bankruptcy case, including:

- Analysis of the debtor's financial situation, and rendering advice to the debtor in determining whether to file a petition in bankruptcy;
- Preparation and filing of any petition, schedules, statement of affairs and plan which may be required;
- Representation of the debtor at the meeting of creditors and confirmation hearing, and any adjourned hearings thereof;
- [Other provisions as needed]

Preparation and filing of one agreement as needed.

6. By agreement with the debtor(s), the above-disclosed fee does not include the following service:

1) Any additional Reaffirmation Agreements in excess of one will be billed at \$100 each.

2) Representation of the debtor(s) in any dischargeability actions, judicial lien avoidance, relief from stay actions, or any other adversary proceeding will be billed on an hourly basis at the attorney's usual hourly rate.

3) Any petition schedule amendments will be billed at \$100 each, plus court filing fee.

CERTIFICATION

I certify that the foregoing is a complete statement of any agreement or arrangement for payment to me for representation of the debtor(s) in this bankruptcy proceeding.

Dated: October 7, 2005

/s/ Kent A. Gaertner

Kent A. Gaertner 3121489
Springer, Brown, Covey, Gaertner & Davis, L.L.C.
400 S. County Farm Road
Suite 330
Wheaton, IL 60187
630-510-0000 Fax: 630-510-0004

**United States Bankruptcy Court
Northern District of Illinois**

In re James S. Benecke
Rachel Marie Benecke Debtor(s) Case No. _____
Chapter 7

VERIFICATION OF CREDITOR MATRIX

Number of Creditors: 49

The above-named Debtor(s) hereby verifies that the list of creditors is true and correct to the best of my (our) knowledge.

Date: October 7, 2005 /s/ James S. Benecke
James S. Benecke
Signature of Debtor

Date: October 7, 2005 /s/ Rachel Marie Benecke
Rachel Marie Benecke
Signature of Debtor

ABN AMRO
8201 Innovation Way
Worth, IL 60482

ABN AMRO Mtg Group
2600 W Big Beaver Rd
Troy, MI 48084

AMEX
PO Box 297871
Fort Lauderdale, FL 33329

Anderson Landscape Supply
31W504 Diehl Road
Naperville, IL 60563

Arthur Cleason, Inc.
543 Diens Dr.
Wheeling, IL 60090

Banco Popular
120 Broadway Fl 16
New York, NY 10271

Banco Popular
9600 W. Bryn Mawr
Des Plaines, IL 60018

Bp Oil/Citibank
Po Box 6003
Hagerstown, MD 21747

Cbusasears
Po Box 6189
Sioux Falls, SD 57117

Chase
800 Brooksedge Blvd
Westerville, OH 43081

Chase
800 Brooksedge Blvd
Westerville, OH 43081

Chase
PO box 15153
Wilmington, DE 19886

Citgo Oil/Citibank
Po Box 6003
Hagerstown, MD 21747

Citibank
Pob 6241
Sioux Falls, SD 57117

Discover Fin
Pob 15316
Wilmington, DE 19850

EC Rizzi & Assoc.
31W310 Schoger Dr.
Naperville, IL 60564

Edward Hospital
PO Box 4207
Carol Stream, IL 60197

Fifth Third Bank
Fifth Third Center
38 Fountain Sq.
Cincinnati, OH 45263

G M A C
15303 S 94th Ave
Orland Park, IL 60462

GM Card
PO Box 37281
Baltimore, MD 21297

Home Depot
PO Box 6029
The Lakes, NV 88901

Hsbc Nv
Pob 98706
Las Vegas, NV 89193

Illinois Department of Revenue
Bankruptcy Section
100 W. Randolph Street
Chicago, IL 60602

Internal Revenue Service
ATTN: Centralized Insolvency
PO Box 21126
Philadelphia, PA 19114

Internal Revenue Service
ATTN: Centralized Insolvency
PO Box 21126
Philadelphia, PA 19114

Internal Revenue Service
ATTN: Centralized Insolvency
PO Box 21126
Philadelphia, PA 19114

Internal Revenue Service
ATTN: Centralized Insolvency
PO Box 21126
Philadelphia, PA 19114

Internal Revenue Service
Mail Stop 5010 CHI
230 S. Dearborn Street
Chicago, IL 60604

Internal Revenue Service
Mail Stop 5010 CHI
230 S. Dearborn Street
Chicago, IL 60604

Jc Penney
P.O. Box 981400
El Paso, TX 79998

Kaknes Landscape Supply
31W545 Diehl Rd.
Naperville, IL 60563

Kohls
N56 W 17000 Ridgewood Dr
Menomonee Falls, WI 53051

LaSalle Bank NA
135 S. LaSalle St., Dept. 8144
Chicago, IL 60674

Lasalle National N A
3985 N Milwaukee Ave
Chicago, IL 60641

Lenz Disposal
PO Box 5188
Naperville, IL 60567

Lesco Inc.
PO box 931341
Cleveland, OH 44193

Marshall Fields
111 Boulder Industrial D
Bridgeton, MO 63044

Marshall Fields
111 Boulder Industrial D
Bridgeton, MO 63044

MBNA
PO Box 15289
Wilmington, DE 19886

Midway Truck Parts Inc.
7400 W. 8th St.
Bridgeview, IL 60455

Old Second National Ba
37 S River St
Aurora, IL 60506

Pomps Tire Service Inc.
PO Bxo 1630
Green Bay, WI 54305

RH Donnelley
PO Box 807008
Kansas City, MO 64180

Sears
PO Box 182156
Columbus, OH 43218

Sheffield Financial Corp.
PO Box 890012
Charlotte, NC 28289

Sheffield Financial Corp.
PO Box 890012
Charlotte, NC 28289

Sherwin Nurseries, Inc.
PO Box 857
Addison, IL 60101

Steve Piper & Sons Inc.
31 W 330 Ramm Dr.
Naperville, IL 60564

Wagner Farms Nursery
9937 S. Rt. 59
Naperville, IL 60564